REMARKS

This is responsive to the Office Action dated April 20, 2005 which has been carefully considered. Claims 1-3, 9 and 10 are presently pending. Claims 1, 2 and 9 stand rejected under 35 U.S.C. § 102(b) as anticipated by Hayamizu et al. U.S. Patent No. 4,721,058 and claim 3 stands rejected under 35 U.S.C. § 103(a) as obvious over Hayamizu et al. and further in view of Fuchs U.S. Patent No. 1,677,472 or Siegl et al U.S. Patent No. 6,532,872. In the §103 rejection both references are mentioned but only Siegl et al. is discussed (see mention of Fuchs at the bottom of page 3 and the discussion of Siegl at page 4 of the Office Action). The undersigned will discuss both references below but assumes that the Examiner meant to reject claim 3 over the combination of Hayamizu in view of Siegl et al.

In the above amendment, claims 1, 2 and 3 have been combined and amended claim 1 is now directed to a method of cross-cutting a web having a repeated sequence of at least two printing pages with different heights wherein, *inter alia*, the web is cut transversely to the running direction successively to form sheets having section length corresponding to said different heights. To that end a movement sequence is selected from a memory in accordance with the height of the next printed page to be cut, the movement sequence is then fed to the motor driving the knife cylinder depending on the rotary position of the plate cylinder. The process is controlled by a computing and storage unit 9 which is connected to the motor 10 for driving the plate cylinder 1 as well as the motor 6 which drives and controls the knife cylinder 7. Prior art print marks for control and regulation purposes are no longer utilized and, in fact, are unsuitable to provide the proper control in the claimed modern day web-fed rotary printing press which runs at speeds of about 15m/sec to about 20 m/sec.

Turning now to the rejection based on Hayamizu, Hayamizu is directed to a drawing paper cutting system for automatic drawing machines in which the machine generates a drawing on a web,

at very low speed, which drawing is thereafter transported from the drawing machine to a cutting device 69 (Fig. 8). In accordance with Fig. 2 and particularly the description at cols. 3 and 4 of Hayamizu, a "discriminating signal 7", **i.e. a marking 7** in form of a bar code (Fig. 3) is printed each time onto the paper 5. The marking 7 is then read and interpreted in a manner that, based on the marking 7, a signal actuates the cutting device so that the drawing is cut according to the desired width and/or length. A person having ordinary skill in the art knows that automatic drawing machines of the type described by Hayamizu operate at extremely low speeds, perhaps several centimeters per second. Therefore, there is sufficient time to generate a "discriminating signal 7 on the paper 5 and actuate the cutting device 69 in accordance with Fig. 8 so that the automatically generated drawing is cut to the desired length and/or width. There is no suggestion in Hayamizu to use the described arrangement in a web-fed rotary printing press having a plate cylinder driven by a motor controlled by a drive controller as claimed. There is also no suggestion in Hayamizu to do away with markings 7 and instead obtain the movement sequence for the knife cylinder from a computing and memory unit depending on the rotary position of the plate cylinder as claimed. Accordingly, claim 1 as amended and claim 9 are neither anticipated nor rendered obvious by Hayamizu alone or in combination with Fuchs or Siegl et al. because neither one of these references supply the teachings missing from Hayamizu.

Fuchs U.S. Patent No. 1,677,472 does not relate to the cutting of different length of web but to synchronization problems, i.e. color register by the aid of holes provided in regular distances in the endless web so that every variation in the position of the web can be corrected. It is respectfully submitted that Fuchs is non-analogous art because it is neither within the field of the present inventors endeavor nor is it reasonably pertinent to the particular problem with which the present inventor was involved. *Union Carbide Corp. v. American Can Company*, 220 U.S.P.Q. 584, 588 (Fed. Cir. 1984). In addition, Fuchs fails to even hint at the claimed invention. In other words, even

if it were combined with Hayamizu, it fails to teach or suggest the claimed method, for example, by controlling the movement sequence of the knife cylinder with a computing and memory unit depending on the rotary position of the plate cylinder which prints a sequence of at least two pages having different heights.

Siegl et al. is also directed to register deviations which may occur between several printing units. Siegl et al. describe, for example, an 8-cylinder tower of a web-fed rotary printing press in which the first blanket cylinders 11 and 15 in the first printing unit DE1 print a first color on both sides of the web. This color is used as the reference color and thus serves as the register reference during the printing of the second, third and forth colors in the second, third and fourth printing unit. For this purpose, Siegl et al. teaches to print **register marks** which are picked up by a pair of sensors 3 arranged behind the fourth printing unit DE4 (col. 6, lines 41-44). Again, Siegl et al. deal with color register regulation and control based on the register marks and are totally silent with respect to the problem encountered and solved by applicants' herein, namely, the cross cutting of a web in a web-fed rotary printing press having a repeated sequence of at least two printed pages with different heights by utilizing a computing and memory unit interacting with both the motor of the printing cylinder as well as the motor of the knife cylinder as claimed.

Thus, even if Siegl et al. were to be combined with Hayamizu, there is no teaching or suggestion of the invention as now claimed. Accordingly, withdrawal of the rejections over Hayamizu alone or in combination with either Fuchs or Siegl et al. is hereby respectfully urged.

Early Notice of Allowance of claims 1, 9 and 10 as now presented is respectfully solicited.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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